

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By **CHAIRMAN CAROLYN SQUIRES**, on March 12, 2007 at 3:00 P.M., in Room 335 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Carolyn Squires, Chairman (D)  
Sen. Joe Balyeat (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Jeff Essmann (R)  
Sen. Steven Gallus (D)  
Sen. Larry Jent (D)  
Sen. Rick Laible (R)  
Sen. Jesse Laslovich (D)  
Sen. Dave Lewis (R)  
Sen. Jim Shockley (R)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Dave Bohyer, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted:	HB 70, 3/5/2007; HB 153, 3/5/2007; HB 86, 3/5/2007; HB 87, 3/5/2007; HB 81, 3/5/2007
Executive Action:	HB 70, HB 87, HB 81, HB 86

00:00:51

**HEARING ON HB 70**

**Opening Statement by Sponsor:**

00:01:16 **REP. EDITH CLARK (R), HD 28**, opened the hearing on **HB 70**, Revise laws governing publication and distribution of administrative rules.

**Proponents' Testimony:**

00:03:10 Jean Branscum, Office of the Honorable Secretary of State Brad Johnson (Secretary of State's Office)

00:06:46 Ali Bovington, Office of the Honorable Attorney General Mike McGrath, Department of Justice (DOJ)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:08:04 Sen. Carolyn Squires to Ms. Branscum, Secretary of State's Office

**Closing by Sponsor:**

00:10:31 Rep. Clark

**HEARING ON HB 153**

**Opening Statement by Sponsor:**

00:11:06 **REP. HAL JACOBSON (D), HD 82**, opened the hearing on **HB 153**, Uniform registered agents act.

**Proponents' Testimony:**

00:15:35 Garth Jacobson, CT Corporation

**EXHIBIT**(sts52a01)

00:24:22 Michael O'Brian, Office of the Honorable Secretary of State Brad Johnson (SOS)

00:27:27 Joe Mazurek, Member, National Conference of  
Commissioners on Uniform State Laws (NCCUSL)

**Opponents' Testimony:**

00:29:18 Linda Hays, Small Business Owner

00:32:17 Michael Willing, Small Business Owner

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:38:02 Sen. Dave Lewis to Mr. O'Brian, SOS

00:39:20 Sen. Rick Laible to Mr. O'Brian, SOS

00:42:18 Sen. Joe Balyeat to Mr. O'Brian, SOS

00:45:26 Sen. Balyeat to Mr. Willing

00:50:50 Sen. Jesse Laslovich to Mr. Mazurek, NCCUSL

00:52:16 Sen. Jim Shockley

00:52:38 Sen. Jeff Essmann to Mr. O'Brian, SOS

00:55:09 Sen. Laslovich to Mr. Jacobson, CT Corporation

**Closing by Sponsor:**

01:03:57 Rep. Jacobson

**HEARING ON HB 86**

**Opening Statement by Sponsor:**

01:06:47 **REP. JOHN MUSGROVE (D), HD 34**, opened the hearing on **HB 86**, Revise legislative audit act.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

01:10:17 Monica Smith, Legal Counsel, Legislative Audit Division  
(LAD)

**Questions from Committee Members and Responses:**

01:11:09 Sen. Laible to Rep. Musgrove

01:12:03 Sen. Squires to Rep. Musgrove rereferred to Ms. Smith,  
LAD

01:16:07 Sen. Squires to Ms. Smith, LAD

01:16:59 Dave Bohyer, Director of Research, Legislative Services  
Division (LSD)

01:17:47 Sen. Essmann to Ms. Smith, LAD

**Closing by Sponsor:**

01:22:18 Rep. Musgrove

**HEARING ON HB 87**

**Opening Statement by Sponsor:**

01:23:20 **REP. DOUGLAS CORDIER (D), HD 3**, opened the hearing on  
**HB 87**, Water commissioner authority over changes.

**Proponents' Testimony:**

01:25:42 John Tubbs, Montana Department of Natural Resources and  
Conservation (DNRC)

01:27:59 Holly Franz, Upper Clark Fork Steering Committee

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:29:16 Sen. Laible to Mr. Tubbs, DNRC

**Closing by Sponsor:**

01:30:51 Rep. Cordier

**HEARING ON HB 81**

**Opening Statement by Sponsor:**

01:31:48 **REP. ROBIN HAMILTON (D), HD 92**, opened the hearing on **HB 81**, Generally revise teacher retirement system laws.

**Proponents' Testimony:**

01:37:04 David Senn, Executive Director, Teachers Retirement System (TRS)

**EXHIBIT**(sts52a02)

01:39:33 Tom Bilodeau, Research Director, MEA-MFT

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:40:49 Sen. Shockley to Mr. Bohyer, LSD

01:42:44 Sen. Squires

01:43:01 Sen. Vicki Cocchiarella

01:43:09 Sen. Balyeat to Mr. Senn, TRS

01:45:50 Sen. Essmann to Mr. Senn, TRS

**Closing by Sponsor:**

01:46:35 Rep. Hamilton

**EXECUTIVE ACTION ON HB 87**

01:47:30 **Motion/Vote:** **SEN. GALLUS** moved that **HB 87 BE CONCURRED IN**. Motion carried 10-1 by voice vote with **SEN. SHOCKLEY** voting no. **SEN. LAIBLE** will carry.

**EXECUTIVE ACTION ON HB 81**

01:48:39 **Motion:** **SEN. GALLUS** moved that **HB 81 BE CONCURRED IN**.

**Discussion:**

01:48:59 Sen. Balyeat  
01:50:38 Sen. Cocchiarella  
01:53:06 Sen. Larry Jent  
01:53:49 Sen. Cocchiarella to Mr. Senn, TRS  
01:55:29 Mr. Bohyer, LSD to Mr. Senn, TRS  
01:55:52 Sen. Laible to Mr. Senn, TRS  
01:56:45 Sen. Essmann to Mr. Senn, TRS  
01:57:49 Sen. Balyeat to Mr. Senn, TRS  
01:59:58 Sen. Lewis to Mr. Senn, TRS  
02:01:16 **Vote: Motion that HB 81 BE CONCURRED IN carried  
unanimously by voice vote. SEN. JENT will carry.**

**EXECUTIVE ACTION ON HB 70**

02:01:44 **Motion/Vote: SEN. LASLOVICH moved that HB 70 BE  
CONCURRED IN. Motion carried unanimously by voice vote.  
SEN. LAIBLE will carry.**

**EXECUTIVE ACTION ON HB 86**

02:03:31 **Motion: SEN. GALLUS moved that HB 86 BE CONCURRED IN.**

**Discussion:**

02:03:53 Sen. Essmann

02:04:37 **SEN. GALLUS withdrew the BE CONCURRED IN motion. No  
further action was taken.**

**ADJOURNMENT**

Adjournment: 5:10 P.M.

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SEN. CAROLYN SQUIRES, Chairman

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LOIS O'CONNOR, Secretary

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Additional Exhibits:

**EXHIBIT ([sts52aad.pdf](#))**